

IN THE SUPREME COURT OF THE STATE OF NEVADA

ARTHUR MASKALA,
Petitioner,

vs.

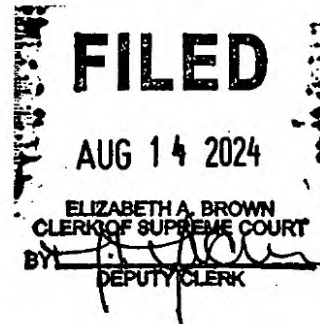
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
KATHLEEN E. DELANEY,

Respondents,

and

ALAN MANN; SHANNON ROEHRS;
AND MERRILL LYNCH PIERCE
FENNER & SMITH, INC.,
Real Parties in Interest.

No. 88775



ORDER DENYING PETITION

This original petition for a writ of mandamus challenges a district court order granting a motion to compel arbitration and stay proceedings.

Having considered the petition and the supporting documents, we conclude that petitioner has not met his burden of demonstrating that our extraordinary intervention is warranted. *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991) (recognizing that writ relief is extraordinary and that this court has sole discretion in determining whether to grant relief). In particular, we are not persuaded that the district court manifestly abused its discretion or made a clearly erroneous application of the law in compelling arbitration and staying the proceedings. *Masto v. Second Jud. Dist. Ct.*, 125 Nev. 37, 47,

199 P.3d 828, 832 (2009) (concluding that the district court's order compelling arbitration was not a manifest abuse of discretion where the agreement's arbitration clause included within its scope disputes of the type raised in the plaintiff's complaint); see NRS 34.160 (setting forth mandamus standard). Accordingly, we

ORDER the petition DENIED.¹

Stiglich, J.
Stiglich

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

cc: Hon. Kathleen E. Delaney, District Judge
Thomson Law PC
Snell & Wilmer, LLP/Las Vegas
Eighth District Court Clerk

¹Petitioner also failed to provide documents pertinent to the challenged order, further warranting denial of the petition. NRAP 21(a)(4).